

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

U.S.A. vs. Marcus Lorenzo Gaskins

Docket No. 7:03-CR-15-1F

Petition for Action on Supervised Release

COMES NOW John A. Cooper, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Marcus Lorenzo Gaskins, who, upon an earlier plea of guilty to 18 U.S.C. §§ 2113(a) and 2, Armed Bank Robbery and Aiding and Abetting and 18 U.S.C. §§ 924(c)(1), Used, Carried and Brandished Firearms During and in Relation to a Crime of Violence and Aiding and Abetting, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on July 21, 2003, to the custody of the Bureau of Prisons for a term of 108 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall pay a fine of \$4,400, and restitution of \$1,844.42.

Marcus Lorenzo Gaskins was released from custody on July 23, 2010, at which time the term of supervised release commenced. On September 9, 2011, Gaskins appeared before Your Honor on a Motion for Revocation for engaging in criminal conduct and the Court denied the motion and continued Gaskins on supervision.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On April 27, 2013, Gaskins was arrested and charged with Speeding and Driving While Impaired. According to court records, Gaskins was stopped by the N.C. Highway Patrol at 2:50am, and registered a .15 Blood Alcohol Content. The charge remains pending in Columbus County District Court on June 11, 2013. Gaskins reported this arrest as required and admitted he was driving the vehicle for a friend who was also intoxicated. Gaskins realized he made a bad decision and is in violation of supervision.

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Additionally, Gaskins has failed to pay regularly on his court fine, after paying the restitution amount in full. As of this date he has a balance due of \$3,555, and has agreed to pay \$50 per month toward this obligation. As such, he has agreed to a sanction of 10 days in jail to address these violations. Therefore, we are recommending supervision be continued but modified to require Gaskins to serve 10 days in jail. He has signed a Waiver of Hearing agreeing to the proposed modification of supervision. We have advised him that any further violations, will result in a Motion for Revocation being requested.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 10 days, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ John A. Cooper
John A. Cooper
U.S. Probation Officer
Phone: 910-815-4857
Executed On: May 22, 2013

ORDER OF COURT

Considered and ordered this 24th day of May, 2013, and ordered filed and made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge